



City of Harrisburg
Variance and Special Exception Application

Note: The Planning Bureau will review all applications for completeness; incomplete applications may cause a delay in processing.

Contact Jacob Bowen at 717-255-6408 or jb Bowen@harrisburgpa.gov with any questions.

Primary Property Address 8901 Wm 6th St Harrisburg PA 17110	Zoning District Harrisburg
--	--------------------------------------

Two or More Parcels? Yes ☒ No

Please list the additional property addresses and parcel numbers:

Application Type:

☒ Special Exception

☐ Variance

☐ Combo (Variance & Sp. Ex.)

Explain what you want to accomplish and the reason why the request for a special exception and/or variance should be granted (use additional sheets if necessary). Be specific. The following criteria must be addressed in detail and submitted with the application. The criteria for special exception requests are the basis of the Zoning Hearing Board's ruling and are taken from Section 7-323.6 of the 2014 Zoning Code. The criteria for variance requests are the basis of the Zoning Hearing Board's ruling and are taken from Section 7-323.7 of the 2014 Zoning Code and Section 912 (53 P.S. Section 10912) of the PA Municipalities Code.

Criteria for Special Exception Requests

1. What do you want to do and why?

I want to open a childcare Center. I believe this location would serve the community well, and also be a great asset to the neighborhood.

2. What is the property's current use or, if vacant, what was it used as when it was occupied?

The property is currently vacant. Prior to purchasing the property it was a drug & Alcohol treatment center.



3. Describe the ingress and egress to the property and existing and proposed structures thereon, with particular attention paid to automotive and pedestrian safety, as well as emergency vehicle access; traffic generation, flow and control relative to existing and future vehicular capacity or nearby public rights of way.

The drop off and pick up is located in the front entrance of the building.

4. How many off-street parking spaces are being provided? Does this meet the minimum requirements of the code?

The off-street parking is not marked off. If I took a guess I would say between 8-10.

5. Does the proposed use involve a public safety hazard (i.e. fire, toxic, or explosive hazards)?

NO

6. Describe any new utilities (water, gas, electricity, steam) being provided as part of this project. Have they received clearance from the appropriate authority?

N/A

7. Does the project involve site plan designs -- including landscaping, plant screening, walls, berms, fences; the placement, direction, and shielding of exterior lighting; and/or trash/refuse/compost areas? If yes, please describe. A landscaping plan may be required.

N/A

8. Will there be any new, improved, or additional signage on the property? If so, please describe the sign(s) and, if possible, provide a color rendering and specifications. Will the sign (type, size, and location) meet the applicable requirements of the code?

NO



9. New or expanded structures are to meet all applicable front, side, and rear yard setback requirements. Can these requirements be met? What are the size, bulk, use and other characteristics of the project in relation to adjacent properties and the neighborhood in general? Please describe.

N/A

10. Will the proposed use comply with Environmental Performance Standards in Chapter 7-331?

N/A

11. If this request involves establishing a business, please submit a copy of your business plan including: Who are your customers? What are the hours of operation for the business?

N/A

12. Will the proposed use have an adverse impact on the character of a residential neighborhood, such as generating heavy truck traffic or creating noise or odors? Does the neighborhood support the project? Please submit any evidence of neighborhood support, such as a petition or letter of support from a neighborhood group.

NO

Criteria for Variance Requests

1. Are there unique physical circumstances or conditions peculiar to the particular property and are the unnecessary hardship(s) due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance?

NO



2. In light of physical circumstances or conditions, is there any possibility that the property can be developed in strict conformity with the provisions of the Zoning Code?

no

3. Has the applicant created an unnecessary hardship?

no

4. Would the variance, if granted, alter the essential character of the neighborhood or zoning district, substantially impair the appropriate use or development of adjacent property, or be detrimental to the public welfare?

no

5. Would the variance, if granted, represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue?

Applicant

Name Valerie Moore

Company Loving Handz

Address 2901 Elm Ln St
Harrisburg PA 17110

Phone (717) 982-3564

Email Valerieb74@comcast.net

Applicant's Status

(Check One)

☒ Owner

☐ Lessee

☐ Equitable Owner

☐ Contract
Purchaser



Main Contact for the Project

Name Valerie Moore
Company Loving Handz
Address 2901 Nth 6th St
Harrisburg PA 17100
Phone (717) 982-3504
Email Valerieb74@Comcast.net

Site Plan Designer (if applicable)

Name _____
Company _____
Address _____

Phone _____
Email _____

Property Owner

Name Valerie Moore
Company Loving Handz
Address 2901 Nth 6th St
Harrisburg PA 17100
Phone (717) 982-3504
Email Valerieb74@Comcast.net

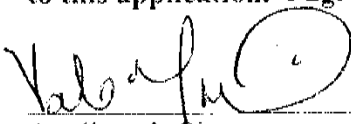


Items To Be Submitted With Application (Failure to do so WILL delay the review process:

- ☒ Check made payable to the **"City Treasurer"** for the correct amount (see the fee schedule)
- ☒ Proof of legal standing, including: 1) the deed if you are the property owner; or 2) a lease, option to lease, purchase agreement, or some other legal document demonstrating that you have an agreement with the property owner giving you some interest in the property; you will also need to submit the property deed.
- ☒ Scale drawings (either 8.5x11 or 11x17) of the existing property and/or building (**12 copies**)
- ☐ Scale drawings (either 8.5x11 or 11x17) of the proposed change(s) (**12 copies**)
- ☒ Photographs of the existing conditions of the property

APPLICANT / OWNER CERTIFICATION

I hereby certify that the proposed work is authorized by the owner of record and that I agree to conform to all applicable laws of this jurisdiction. I understand that any falsification could lead to denial or criminal penalties, or revocation of any permit pursuant to this application. I agree that work will not begin before receiving final approval.


Applicant's Signature

12/30/2021
Date


Property Owner's Signature

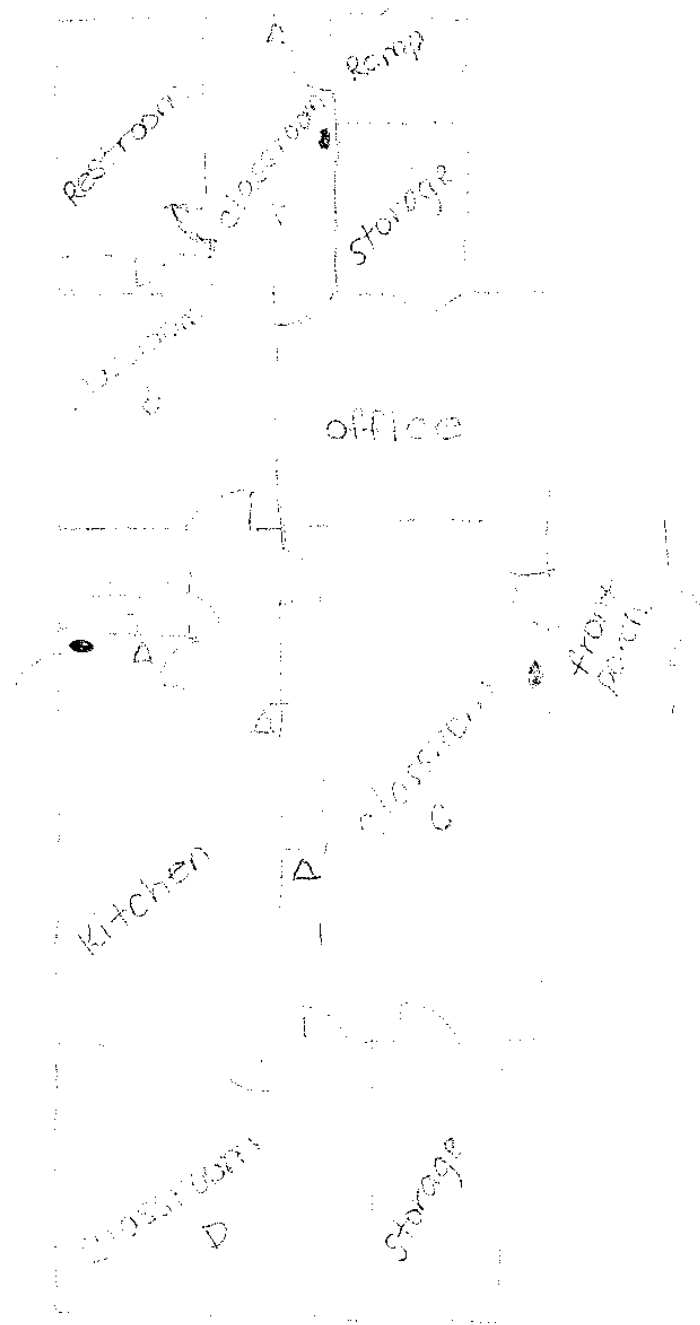
12/30/2021
Date

The owner must sign this application. The applicant signature is required when different from owner.

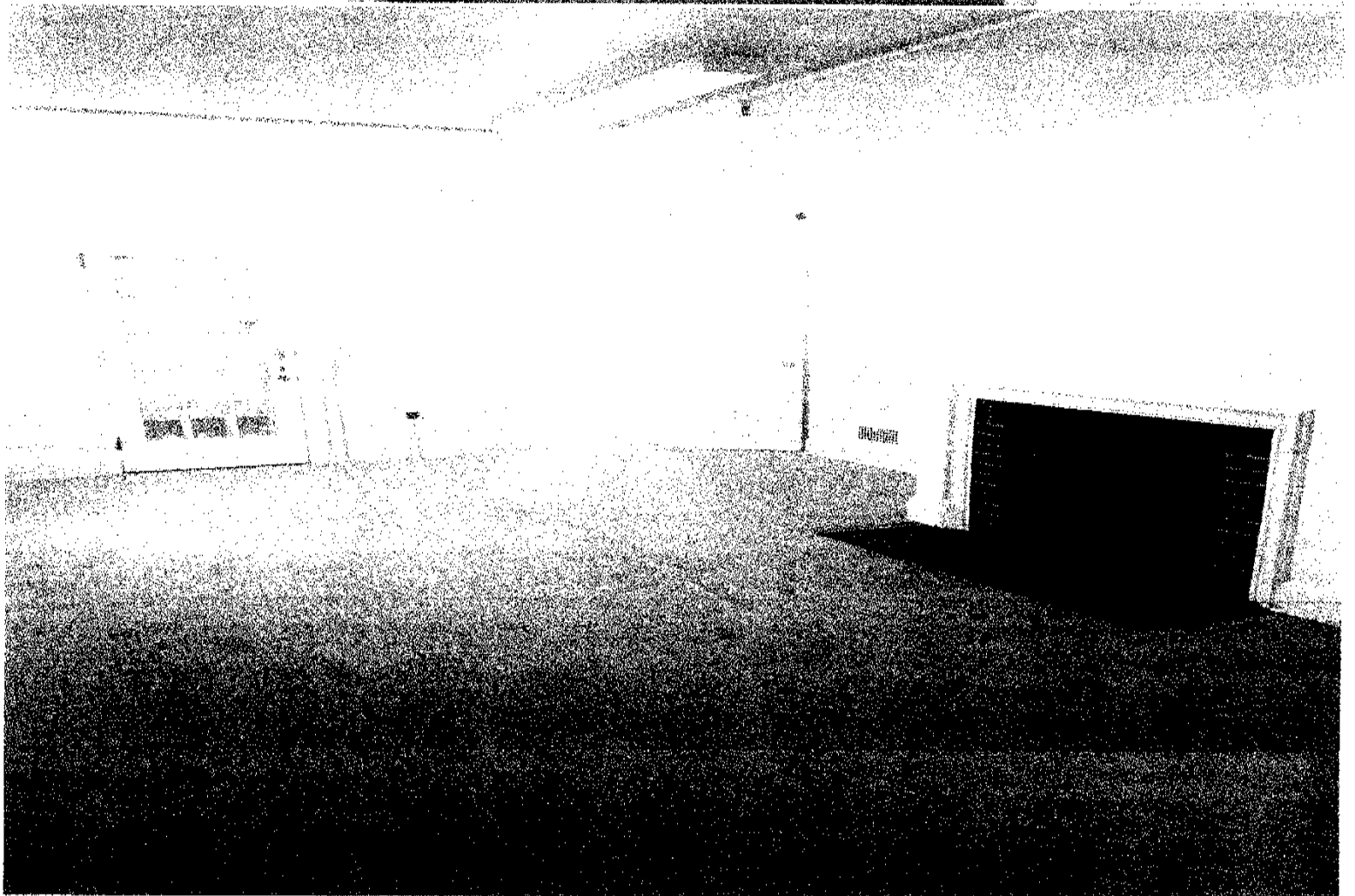
Floor Plan

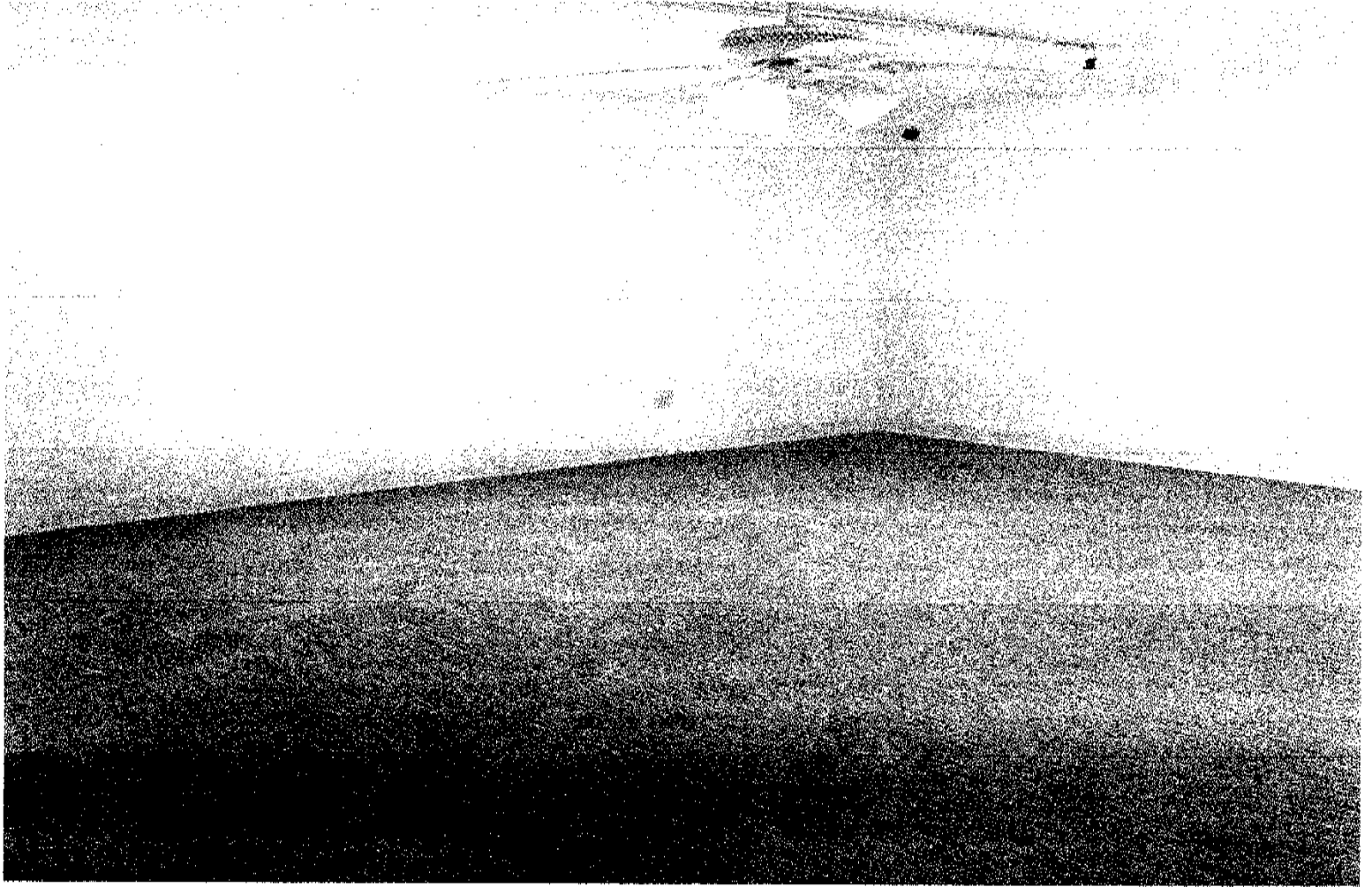
△ fire extinguisher

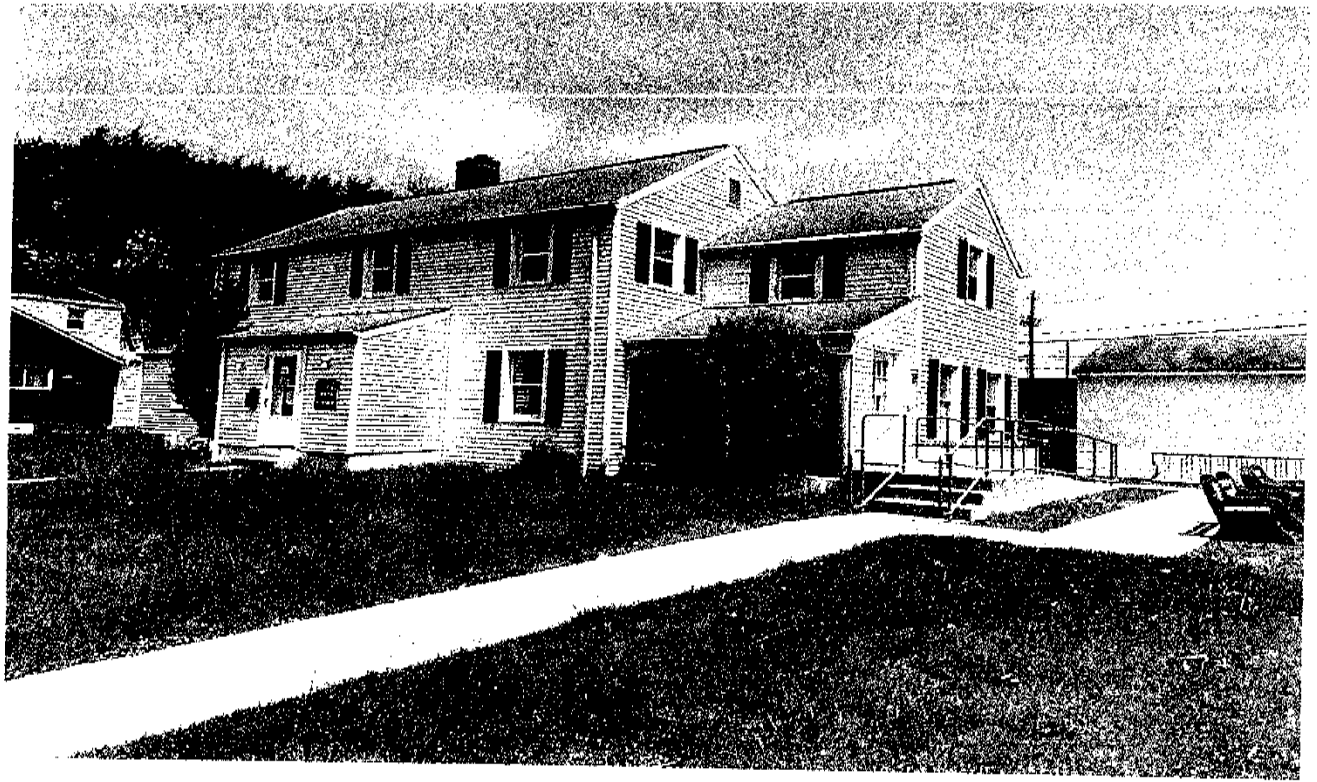
● Pull station











December 30, 2021

2901 Nth 6th St.
Harrisburg Pa.17110

Dear Property owner:

Please be advised that I will be requesting a special Exception for a Childcare Center at 2901 Nth 6th St.

The application will be reviewed by the Planning Commission at **6:30pm on Wednesday, February 2nd** and by the zoning hearing board at **6:00pm on Monday, February 28th**. You are invited to attend the meeting and comment on the proposal. The meeting will be held at the council chambers in City Hall. **(MLK Government Center 10 Nth 2nd St. Harrisburg, PA.17110)**

Thankfully,

Valerie Moore

7021 0950 0000 7743 8520

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Harrisburg, PA 17110

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To **Naomi Frazier**

Street and Apt. No., or PO Box No. **2415 N 6th St**

City, State, ZIP+4® **Harrisburg PA 17110**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

Harrisburg, PA 17112

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To **NWFP Inc**

Street and Apt. No., or PO Box No. **2407 Kensington way**

City, State, ZIP+4® **Harrisburg PA 17112**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0950 0000 7743 8544

7021 0950 0000 7743 8506

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OFFICIAL USE

Harrisburg, PA 17110

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To **Rodman Barton**

Street and Apt. No., or PO Box No. **2744 N 6th St**

City, State, ZIP+4® **Harrisburg PA 17110**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

Harrisburg, PA 17110

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To **J David Leaman**

Street and Apt. No., or PO Box No. **PO Box 5038**

City, State, ZIP+4® **Harrisburg PA 17110**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0950 0000 7743 8537

7021 0950 0000 7743 8513

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OFFICIAL USE

Harrisburg, PA 17113

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To **Harrisburg School District**

Street and Apt. No., or PO Box No. **1601 State St**

City, State, ZIP+4® **Harrisburg PA 17103**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

Harrisburg, PA 17112

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To **Michael Della Porta**

Street and Apt. No., or PO Box No. **4447 Augusta Dr**

City, State, ZIP+4® **Harrisburg PA 17112**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0950 0000 7743 8483

7021 0950 0000 7743 8490

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CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Harrisburg, PA 17111

OFFICIAL USE

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	\$0.00
<input type="checkbox"/> Adult Signature Required	\$	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	\$0.00

Postage \$0.58

Total Postage and Fees \$4.33

Sent To **RACOE RAOOF**

Street and Apt. No., or PO Box No.

6331 Chatham alenn way

City, State, ZIP+4®

Harrisburg PA 17111

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Postmark
Here

01/28/2022

0102
99A17110

OWN STATION



Wanda Williams, Mayor

PLANNING BUREAU CASE REPORT

Special Exception Application 2901 North 6th Street

PROPERTY ADDRESS: 2901 North 6 th Street	APPLICANT: Valerie Moore w/ Loving Handz Early Learning & Development Center, Inc.	APPLICANT STATUS: Owner
PID: 14-039-001	ZONING: Residential Medium-Density (RM)	HPC DATE: February 2, 2022
ZHB CASE #: 2504	ZHB DATE: February 28, 2022	SITE VISIT DATE(S): January 25, 2022
HISTORIC DISTRICT: N/A	FLOODPLAIN: Zone X (No Floodplain)	SUBMISSION DATE: January 3, 2022

REQUEST:

The Applicant is proposing a “Child Care Center” use in the Residential Medium-Density (RM) zoning district; per Section 7-305.7 of the Zoning Code, Special Exception approvals are required for the proposed use and for relief from the off-street parking requirements outlined in Section 7-327.6 of the Zoning Code.

PROPERTY DESCRIPTION:

The property is a 0.26-acre lot featuring a two-story, 2,448-square-foot building which was constructed circa 1936 (per Dauphin County tax records). The property is bounded by the property at 2915 North 6th Street to the north, an undeveloped public right-of-way known as Marie Street to the east, Division Street to the south, and North 6th Street to the west.

This two-story, detached structure features elements of the Colonial Revival architectural style. Character-defining features include: the aluminum siding; a primary entrance via an enclosed porch area that was a later addition; a side entrance along the southern façade featuring an aluminum storm door and a small detached garage along Division Street. Fenestration features one-over-one, vinyl windows with decorative storm shutters. The structure is topped by a gabled roof clad in asphalt shingles. The property features a large front set back area featuring a grass lawn and some shrubbery. The structure has lost some of its historic integrity; however, the building form and placement does contribute to the overall character and streetscape of the surrounding neighborhood.

SPECIAL EXCEPTION REQUIREMENTS

PER CHAPTER 7-323 and 7-321 OF THE ZONING CODE:

- 1. The Board shall determine that the minimum requirements of this Code as set forth in Section 7-323.6 have been met.**

Per Section 7-305.7 of the Zoning Code, the Zoning Hearing Board may grant a Special Exception to establish a “Child Care Center” use in the Residential Medium (RM) zoning district.

The Zoning Hearing Board may grant a Special Exception for relief from the off-street parking requirements, per 7-327.8 of the Zoning Code, if certain criteria can be met. With respect to the current application, the Planning Bureau believes that there is sufficient public, on-street parking along the 2900 block of North 6th Street to accommodate the parking needs of staff and loading/unloading needs for parents and caregivers dropping off and picking up children. The Applicant may want to consider coordinating with the City Engineer’s Office and/or City Council to designate a loading/unloading zone along the curb in front of the property during normal drop-off/pick-up times.

- 2. The Board shall find that the use, structure, or action authorized by the special permit will not be contrary to the preservation of the general character of the neighborhood involved.**

With respect to the proposed use, the Applicant has stated:

“I want to open a child care center. I believe this location would service the community well, and also would be a great asset to the neighborhood.”

With respect to the existing use, the Applicant has stated:

“The property is currently vacant. Prior to purchasing the property it was a drug and alcohol treatment center.”

The Planning Bureau notes that the property's most recent use as “Treatment Center” known as the “Genesis House” existed on site until August 2021 (per City records). This business was considered a legal non-conforming use within the Residential Medium-Density (RM) zoning district since documented business activities have occurred on-site within the past twelve months. Per Section 7-321.5(c) of the Zoning Code, a non-conforming use may be changed to another non-conforming use by the granting of a Special Exception approval by the Zoning Hearing Board. The Zoning Hearing Board shall determine whether the Applicant has provided sufficient proof to show that the proposed new use will be equal or have less impact in external effects than pre-existing nonconforming use.

The Bureau notes that the subject property is located directly across the street from Camp Curtin Elementary School and is within close proximity to single-family homes. The former treatment center on-site operated as a substance abuse facility that regularly received patients battling drug and alcohol related issues. While the Bureau is unsure of the exact nature and intensity of operations on-site, the former use would likely have generated more vehicular traffic and had significantly greater parking needs throughout the course of a regular day. Given the nature of the previous use and its impact on traffic generation and parking, the Bureau believes that the

proposed “Child Care Center” use would have a lesser impact on the surrounding community and serve as a more compatible use to the residential character of the North 6th Street corridor.

3. The Board shall duly consider the following factors, as appropriate:

- (A) ingress and egress to property and existing and proposed structures thereon, with particular attention paid to automotive and pedestrian safety and convenience; traffic generation, flow and control relative to existing and future vehicular capacity or nearby public rights of way; and access in case of fire, flood or other catastrophe;**

The Applicant stated:

“The drop off and pick up is located in the front entrance of the building.”

The property will be accessed exclusively through pedestrian utilization of the existing sidewalks along North 6th Street and Division Street. The Planning Bureau does note that a small one-car garage is located on the property along Division Street. However, due to the relatively small size and configuration (a vehicle would need to back out onto Division Street to use the garage) it is not likely the garage will be utilized for daily off-street parking.

- (B) off-street parking and loading areas where required, with particular attention paid to the factors in paragraph (A) above and the noise, glare, odor, or traffic effects of the special exception on adjoining properties and properties generally in the neighborhood;**

The Applicant has stated:

“The off-street parking is not marked off. If I took a guess I would say between 8 to 10.”

The Planning Bureau notes that Section 7-327.6(A) of the Zoning Code requires a “Child Care Center” to provide one off-street space per six children and one space per employee. As the Applicant is proposing to operate a facility with a maximum of ten students and three employees, there is a requirement of at least five off-street spaces.

In reference to the off-street parking mentioned by the Applicant, they are likely referring to the rear of the property along the undeveloped public right-of-way known as Marie Street as an off-street parking area. The Bureau notes that this area cannot be considered an off-street parking area because it contains a public right-of-way and furthermore that would require formal development as a parking area, which may itself create zoning relief request. Due to the general size and layout of the property, it would likely be difficult to provide five off-street parking spaces on-site while insuring the area has proper traffic flow via drive aisles. Given the above, the Applicant will need a Special Exception for relief from all five of the required off-street parking spaces. The Bureau notes that the Applicant can work with the City to designate spaces for the safe drop-off and pick-up of children along North 6th Street (there is no on-street parking along Division Street). This may entail reserving a portion of the on-street parking spaces along North 6th Street adjacent to the property during the relevant drop-off and pick-up times. The Applicant will need to coordinate with the City Engineer's Office and/or City Council to designate and install signage for a drop-off/pick-up area.

It is also noted that the previous “Treatment Center” use had a greater or similar impact on the off-street parking supply as the proposed use. Per Section 7-327.6(A) of the Zoning Code, a “Treatment Center” is required to have at least five off-street spaces for each doctor or counselor. Though the exact number of doctors or counselors working on-site simultaneously cannot be confirmed, it is likely that one or more counselor or doctor was present at a time to perform general treatment services.

(C) refuse and service areas;

The Planning Bureau notes that the Applicant did not mention refuse concerns in their application, but that the Department of Public Works (DPW) does issue refuse bins by the use on-site. Thus, if the Applicant is granted approval of the request by the Zoning Hearing Board, they will need to work with DPW to determine the appropriate refuse needs for the structure.

(D) utilities, with reference to locations, availability, and compatibility;

The Applicant has stated:

“N/A”

The Planning Bureau notes the existing water, electrical, and gas services provided to the former uses in the building are likely sufficient to meet the needs of the proposed use. Additional utilities such as cable, internet, and/or other telecommunications will likely be provided to meet the business needs. As noted above, the Applicant should coordinate with the Department of Public Works to ensure the account information reflects the new use (if approved).

(E) screening and other buffering with reference to type, dimensions and character;

The Applicant has stated:

“N/A”

The Planning Bureau notes that the project involves the reuse of interior space and that no new exterior additions to the site are proposed, aside from the installation of an outdoor enclosed play area. The proposed play area must conform to the fencing standards in Section 7-307.9(c) of the Zoning Code.

(F) signs, if any, and existing and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with properties in the neighborhood;

The Applicant has stated:

“No.”

The Planning Bureau notes that any proposed signage must be in conformance of the standards set forth in Section 7-325.6 of the Zoning Code, which outlines the requirements of on-premise signs within the RM zoning district.

(G) required yards, setbacks and other open space;

The Applicant has stated:
“N/A”

The Planning Bureau notes that the proposed use will not alter or expand the existing structure.

(H) size, bulk, use, and general character of a proposed building, structure, expansion, or enlargement in relation to adjacent properties and the neighborhood generally;

The Applicant has stated:
“N/A”

As noted above, the Applicant has no intention of expanding or enlarging the structures on-site other than the construction of a proposed outdoor play area. The Planning Bureau notes that any proposed play area would likely be compatible with the surrounding residential and institutional uses. The proposed use would also have a limited impact on the surrounding community and not have an adverse impact on adjacent properties.

(I) other factors, if any, which have a bearing on the compatibility of the special exception with adjacent properties and the neighborhood generally.

With respect to whether the proposal involves a public safety hazard, the Applicant has stated:
The Applicant has stated:
“N/A”

With respect to whether the proposal will comply with the Environmental Performance Standards in Chapter 7-331, the Applicant has stated:
The Applicant has stated:
“N/A”

With respect to the establishment or operation of a business, the Applicant has stated:
“N/A”

With respect to the impact on the character of the neighborhood, the Applicant has stated:
“No”

In reviewing the proposed use, Planning Bureau staff believe that a “Child Care Center” use would not pose a public safety hazard to the community, presuming the Applicant is able to provide a safe drop-off and pick-up location along North 6th Street. Overall, the proposed use would provide a benefit to the surrounding community through providing critical childcare services to residents. As noted above, the proposed use is more compatible with the community than the previous non-conforming drug and alcohol “Treatment Center” use that was located on site. Currently, the property could continue to be used as a “Treatment Center” as the continuance of a legal non-conforming use. If approved for a “Child Care Center” use, the “Treatment Center” use would no longer be permitted as a non-conforming use and thus the subject property would operate as a use that is more compatible with the adjacent community.

PLANNING BUREAU RECOMMENDATION:

Approval with Conditions

Planning Bureau staff recommends the request be **Approved** with the following condition(s):

1. The Applicant should coordinate with the City Engineer's Office to determine whether a drop-off/pick-up location can be designated along North 6th Street to allow for the safe loading and unloading of children.
2. The proposed "Child Care Center" must comply with all aspects of the Specific Criteria of Section 7-309.2(m) of the Zoning Code.
3. The Codes Bureau will perform a thorough inspection of the interior of the building, to ascertain whether the property complies with all modern building code regulations; if not, the Applicant must submit Building Permits to have the structure brought into compliance.

Planning Bureau staff recommends the request be **Approved** for the following reason(s):

1. The proposed use will establish a legal non-conforming use that is of equal or lesser impact than the existing legal non-conforming "Treatment Center" use.
2. The proposed use will provide necessary childcare services to the residents of the surrounding community.
3. A "Child Care Center" use would serve as a compatible use to the surrounding residential, commercial, and institutional properties.

REVIEW PROCESS:

1. Planning Bureau review of application and development of case report with recommendation to Harrisburg Planning Commission (HPC).
2. Harrisburg Planning Commission review of application and recommendation to Zoning Hearing Board (ZHB).
3. Harrisburg Zoning Hearing Board review of application and final decision.
4. Submittal of Building Permit to the Codes Bureau and Planning Bureau for any proposed work.
5. Submittal of Mercantile Application to the Tax & Enforcement Bureau.

ATTACHMENTS:

1. Zoning & Location Map
2. Special Exception Application
3. Existing Conditions Photos
4. Interior Sketch Plan
5. Exterior Sketch Plan (Proposed Play Area)
6. Notification Letter & Proof of Mailing
7. Property Tax Documentation
8. Deed



- Project Location
- Zoning District**
- Commercial General
- Industrial
- Institutional
- Open Space Recreation
- Residential Med-Density

Zoning & Location Map
2901 North 6th Street

Parcel ID # 14-039-001

WARRANTY DEED

This Deed,

MADE the 10th day of August in the year Two thousand and twenty one (2021).

BETWEEN, Firetree, Ltd., a Pennsylvania non-profit corporation, with an address at 800 West 4th Street, Williamsport, Lycoming County, Pennsylvania, hereinafter referred to as "Grantor"

AND

Loving Handz Early Learning & Development Center, Inc., a Pennsylvania non-profit corporation with an address at 3549 North 6th Street, Harrisburg, Dauphin County, Pennsylvania, hereinafter referred to as "Grantees"

WITNESSETH, that in consideration of One Hundred Seventy-Five Thousand and 00/100 (\$175,000.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey to the said Grantees, their successors and assigns,

ALL THOSE certain tracts of land situate in the Fourteenth Ward of the City of Harrisburg, Dauphin County, Pennsylvania, bounded and described as follows:

TRACT NO. 1: BEGINNING at the northeast corner of Sixth and Division Streets; thence northwardly along the eastern line of Sixth Street eighty (80) feet to the southern line of Lot No. 56 on Plan of Woodland Park recorded in Plan Book "H", Page 74; thence eastwardly along the line of Lot No. 56, ninety-five (95) feet to the western line of Marie Street; thence southwardly along Marie Street, eighty-two and three tenths (82.3) feet to the northern line of Division Street; thence westwardly along the northern line of Division Street, ninety-five and three one hundredths (95.03) feet to Sixth Street, the Place of Beginning.

BEING lots Nos. 57, 58, 59 and 60 on Plan of Woodland Park aforesaid. Also being known as 2901 North Sixth Street, Harrisburg, PA.

TRACT NO. 2: BEGINNING at a point on the eastern side of North Sixth Street, eighty (80) feet, more or less, to the northeastern corner of Sixth and Division Street, at the intersection of Lot Nos. 56 and 57; thence eastwardly along the line of Lot No. 57 ninety-five (95) feet to Marie Street; thence northwardly along Marie Street forty (40) feet to the line of Lot No. 54; thence westwardly along the line of Lot No. 54. Being known as 2901 North Sixth Street.

Also being known as tax parcel number 14-039-001 in the tax assessors records of the City of Harrisburg.


BEING the same premises conveyed unto FIRETREE, INC., by deed dated August 29, 1996, and recorded August 29, 1996, in the Dauphin County Recorder of Deeds Office in Record Book 2689, Page 601 and then corrected by way of the Corrective Deed, correcting the name of Firetree, Inc. to Firetree, Ltd., dated November 18, 2004, and recorded December 10, 2004, in the Dauphin County Recorder of Deeds Office in Record Book 5798, Page 466.

AND the grantors will Specially WARRANT AND FOREVER DEFEND the property hereby conveyed.

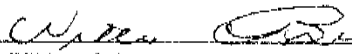
IN WITNESS WHEREOF, said grantors have hereunto set their hands and seals, the day and year first above-written.

Sealed and delivered in the presence of

Attest



FIRETREE, LTD.

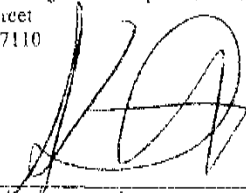
By  (SEAL)
William C. Brown, President

Witness

CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the grantees herein is as follows:

Loving Handz Learning & Development Center, Inc.
3549 North 6th Street
Harrisburg, PA 17110



For the Grantee

Commonwealth of Pennsylvania

:

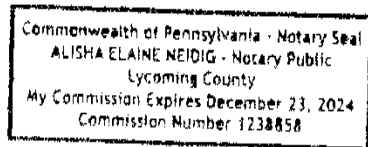
:SS:

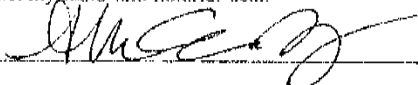
County of Lycoming

:

On this, the 10 day of August, 2021, before me the undersigned officer, personally appeared William C. Brown, who acknowledged himself to be the President of Firetree, Ltd., the non-profit Corporation, and that as such President, he, being authorized by such Corporation to do so, executing the foregoing deed for the purpose therein contained by signing his name thereon as such.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

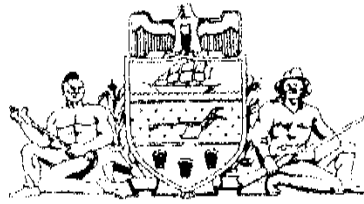




December 23, 2024
My Commission Expires

James M. Zugay, Esq.
Recorder of Deeds
(717) 780-6560

Candace E. Meek
First Deputy



Recorder of Deeds

Harrisburg, Pennsylvania

CERTIFIED END PAGE

Location:
Dauphin County Courthouse
Room 102
Front & Market Streets
Harrisburg, PA 17101

INSTRUMENT #: 20210028390
RECORD DATE: 8/12/2021 4:29:12 PM
RECORDED BY: C WASHINGER
DOC TYPE: DEED
AGENT: SIMPLIFILE
DIRECT NAME: FIRETREE, LTD
INDIRECT NAME: LOVING HANDZ EARLY LEARNING & DEVELOPMENT CENTER, INC.

RECORDING FEES - State: \$0.50
RECORDING FEES - County: \$13.00
ACT 8 OF 1998: \$5.00

COMMONWEALTH OF PA: \$1750.00
MUNICIPALITY: \$875.00 HARRISBURG CITY
SCHOOL DISTRICT: \$875.00 HARRISBURG
ADPC: \$40.25
AFFORDABLE HOUSING: \$13.00

DEMOLITION: \$15.00

UPICount: 1
UPIFee: 20
UPIList: 14-039-001-000-0000

I Certify This Document To Be Recorded
In Dauphin County, Pennsylvania.



James M. Zugay, Recorder of Deeds

THIS IS A CERTIFICATION PAGE

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT



Wanda Williams, Mayor

**RESOLUTION
OF
HARRISBURG PLANNING COMMISSION**

2901 North 6th Street

REQUEST:

The Applicant is proposing a “Child Care Center” use in the Residential Medium-Density (RM) zoning district; per Section 7-305.7 of the Zoning Code, Special Exception approvals are required for the proposed use and for relief from the off-street parking requirements outlined in Section 7-327.6 of the Zoning Code.

PROPERTY DESCRIPTION:

The property is a 0.26-acre lot featuring a two-story, 2,448-square-foot building which was constructed circa 1936 (per Dauphin County tax records). The property is bounded by the property at 2915 North 6th Street to the north, an undeveloped public right-of-way known as Marie Street to the east, Division Street to the south, and North 6th Street to the west.

This two-story, detached structure features elements of the Colonial Revival architectural style. Character-defining features include: the aluminum siding; a primary entrance via an enclosed porch area that was a later addition; a side entrance along the southern façade featuring an aluminum storm door and a small detached garage along Division Street. Fenestration features one-over-one, vinyl windows with decorative storm shutters. The structure is topped by a gabled roof clad in asphalt shingles. The property features a large front set back area featuring a grass lawn and some shrubbery. The structure has lost some of its historic integrity; however, the building form and placement does contribute to the overall character and streetscape of the surrounding neighborhood.

SPECIAL EXCEPTION REQUIREMENTS:

Minimum Requirements of the Code

Per Section 7-305.7 of the Zoning Code, the Zoning Hearing Board may grant a Special Exception to establish a “Child Care Center” use in the Residential Medium (RM) zoning district.

The Zoning Hearing Board may grant a Special Exception for relief from the off-street parking requirements, per 7-327.8 of the Zoning Code, if certain criteria can be met. With respect to the current application, the Planning Bureau believes that there is sufficient public, on-street parking along the 2900 block of North 6th Street to accommodate the parking needs of staff and

loading/unloading needs for parents and caregivers dropping off and picking up children. The Applicant may want to consider coordinating with the City Engineer's Office and/or City Council to designate a loading/unloading zone along the curb in front of the property during normal drop-off/pick-up times.

Neighborhood Character

With respect to the proposed use, the Applicant has stated:

"I want to open a child care center. I believe this location would service the community well, and also would be a great asset to the neighborhood."

With respect to the existing use, the Applicant has stated:

"The property is currently vacant. Prior to purchasing the property it was a drug and alcohol treatment center."

The Planning Bureau notes that the property's most recent use as "Treatment Center" known as the "Genesis House" existed on site until August 2021 (per City records). This business was considered a legal non-conforming use within the Residential Medium-Density (RM) zoning district since documented business activities have occurred on-site within the past twelve months. Per Section 7-321.5(c) of the Zoning Code, a non-conforming use may be changed to another non-conforming use by the granting of a Special Exception approval by the Zoning Hearing Board. The Zoning Hearing Board shall determine whether the Applicant has provided sufficient proof to show that the proposed new use will be equal or have less impact in external effects than pre-existing nonconforming use.

The Bureau notes that the subject property is located directly across the street from Camp Curtin Elementary School and is within close proximity to single-family homes. The former treatment center on-site operated as a substance abuse facility that regularly received patients battling drug and alcohol related issues. While the Bureau is unsure of the exact nature and intensity of operations on-site, the former use would likely have generated more vehicular traffic and had significantly greater parking needs throughout the course of a regular day. Given the nature of the previous use and its impact on traffic generation and parking, the Bureau believes that the proposed "Child Care Center" use would have a lesser impact on the surrounding community and serve as a more compatible use to the residential character of the North 6th Street corridor.

Ingress & Egress

The Applicant stated:

"The drop off and pick up is located in the front entrance of the building."

The property will be accessed exclusively through pedestrian utilization of the existing sidewalks along North 6th Street and Division Street. The Planning Bureau does note that a small one-car garage is located on the property along Division Street. However, due to the relatively small size and configuration (a vehicle would need to back out onto Division Street to use the garage) it is not likely the garage will be utilized for daily off-street parking.

Off-Street Parking & Loading

The Applicant has stated:

“The off-street parking is not marked off. If I took a guess I would say between 8 to 10.”

The Planning Bureau notes that Section 7-327.6(A) of the Zoning Code requires a “Child Care Center” to provide one off-street space per six children and one space per employee. As the Applicant is proposing to operate a facility with a maximum of ten students and three employees, there is a requirement of at least five off-street spaces.

In reference to the off-street parking mentioned by the Applicant, they are likely referring to the rear of the property along the undeveloped public right-of-way known as Marie Street as an off-street parking area. The Bureau notes that this area cannot be considered an off-street parking area because it contains a public right-of-way and furthermore that would require formal development as a parking area, which may itself create zoning relief request. Due to the general size and layout of the property, it would likely be difficult to provide five off-street parking spaces on-site while insuring the area has proper traffic flow via drive aisles. Given the above, the Applicant will need a Special Exception for relief from all five of the required off-street parking spaces. The Bureau notes that the Applicant can work with the City to designate spaces for the safe drop-off and pick-up of children along North 6th Street (there is no on-street parking along Division Street). This may entail reserving a portion of the on-street parking spaces along North 6th Street adjacent to the property during the relevant drop-off and pick-up times. The Applicant will need to coordinate with the City Engineer's Office and/or City Council to designate and install signage for a drop-off/pick-up area.

It is also noted that the previous “Treatment Center” use had a greater or similar impact on the off-street parking supply as the proposed use. Per Section 7-327.6(A) of the Zoning Code, a “Treatment Center” is required to have at least five off-street spaces for each doctor or counselor. Though the exact number of doctors or counselors working on-site simultaneously cannot be confirmed, it is likely that one or more counselor or doctor was present at a time to perform general treatment services.

Refuse & Service Areas

The Planning Bureau notes that the Applicant did not mention refuse concerns in their application, but that the Department of Public Works (DPW) does issue refuse bins by the use on-site. Thus, if the Applicant is granted approval of the request by the Zoning Hearing Board, they will need to work with DPW to determine the appropriate refuse needs for the structure.

Utilities

The Applicant has stated:

“N/A”

The Planning Bureau notes the existing water, electrical, and gas services provided to the former uses in the building are likely sufficient to meet the needs of the proposed use . Additional utilities such as cable, internet, and/or other telecommunications will likely be provided to meet the business needs. As noted above, the Applicant should coordinate with the Department of Public Works to ensure the account information reflects the new use (if approved).

Screening & Buffering

The Applicant has stated:

“N/A”

The Planning Bureau notes that the project involves the reuse of interior space and that no new exterior additions to the site are proposed, aside from the installation of an outdoor enclosed play area. The proposed play area must conform to the fencing standards in Section 7-307.9(c) of the Zoning Code.

Signage

The Applicant has stated:

“No.”

The Planning Bureau notes that any proposed signage must be in conformance of the standards set forth in Section 7-325.6 of the Zoning Code, which outlines the requirements of on-premise signs within the RM zoning district.

Yards, Setbacks & Open Space

The Applicant has stated:

“N/A”

The Planning Bureau notes that the proposed use will not alter or expand the existing structure.

Building Character

The Applicant has stated:

“N/A”

As noted above, the Applicant has no intention of expanding or enlarging the structures on-site other than the construction of a proposed outdoor play area. The Planning Bureau notes that any proposed play area would likely be compatible with the surrounding residential and institutional uses. The proposed use would also have a limited impact on the surrounding community and not have an adverse impact on adjacent properties.

Other Factors

With respect to whether the proposal involves a public safety hazard, the Applicant has stated:

The Applicant has stated:

“N/A”

With respect to whether the proposal will comply with the Environmental Performance Standards in Chapter 7-331, the Applicant has stated:

The Applicant has stated:

“N/A”

With respect to the establishment or operation of a business, the Applicant has stated:

“N/A”

With respect to the impact on the character of the neighborhood, the Applicant has stated:

“No”

In reviewing the proposed use, Planning Bureau staff believe that a “Child Care Center” use would not pose a public safety hazard to the community, presuming the Applicant is able to provide a safe drop-off and pick-up location along North 6th Street. Overall, the proposed use would provide a benefit to the surrounding community through providing critical childcare services to residents. As noted above, the proposed use is more compatible with the community than the previous non-conforming drug and alcohol “Treatment Center” use that was located on site. Currently, the property could continue to be used as a “Treatment Center” as the continuance of a legal non-conforming use. If approved for a “Child Care Center” use, the “Treatment Center” use would no longer be permitted as a non-conforming use and thus the subject property would operate as a use that is more compatible with the adjacent community.

DISCUSSION:

Mr. Bowen gave a synopsis of the report, recommending Approval with Conditions; the conditions were that:

1. The Applicant should coordinate with the City Engineer’s Office to determine whether a drop-off/pick-up location can be designated along North 6th Street to allow for the safe loading and unloading of children.
2. The proposed “Child Care Center” must comply with all aspects of the Specific Criteria of Section 7-309.2(m) of the Zoning Code.
3. The Codes Bureau will perform a thorough inspection of the interior of the building, to ascertain whether the property complies with all modern building code regulations; if not, the Applicant must submit Building Permits to have the structure brought into compliance.

The case was represented by the property owner Valerie Moore (3549 North 6th Street, Harrisburg, PA 17110) with Loving Handz Early Learning & Development Center, Inc.

Commissioner Alsberry asked the Applicant whether the conditions in the case report were acceptable; they confirmed that they were. He asked whether they had anything to add to the Planning Bureaus case report. The Applicant stated they did not.

Commissioner Alsberry stated he had safety concerns with a child care center at 6th and Division Streets. The Commissioner asked the Applicant if they plan to install any fencing. The Applicant stated they planned to install fencing on a portion of the property for where the children will be playing. Mr. Bowen noted that the fenced in play area is part of the requirement for condition two, that satisfies the Specific Criteria of Section 7-309.2(m) of the Zoning Code.

Commissioner Alsberry asked Planning Bureau staff if it was possible for the Applicant to make parking with the back garage. Mr. Bowen noted that due to the garage size and location on the property in relationship to Division Street, it would be difficult to utilize the garage for parking. Mr. Bowen stated the rear of the property can be accessed via a public right-of-away, but do to challenges with the property configuration that it was not practical to use the rear of the property for parking. Mr. Brown also noted that the previous use likely did not utilize the rear of the property for parking in a legal manner.

Commissioner O'Toole stated that the property is located in a residential neighborhood and has operated as a commercial use for numerous years and did not foresee the property being reused for a residential use.

Commissioner Marek stated that she agrees with the proposed use and that it is of lesser impact of the previous use. The Commissioner express some concerns towards the safety of children due to the location of the property at a busy intersection. The Commissioner asked for clarification in regards to the number of employees. The Applicant stated that they intend to have three employees total. Commissioner Marek noted the use would require five parking spaces total.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; there were no comments.

Commissioner O'Toole moved, and Commissioner Reed seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (4-0).

RESOLUTION:

WHEREAS, the Harrisburg Planning Commission reviewed said request at its regular meeting on February 2, 2022, pursuant to the provisions of Section 910.2 of the Pennsylvania Municipalities Planning Code, as reenacted and as amended, and pursuant to the provisions of Chapter 7-323 of the Planning and Zoning Code, and heard testimony from the Applicants, and the report of the Planning Commission staff, which is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED that the Harrisburg Planning Commission, by a unanimous vote (4-0), recommends that the Harrisburg Zoning Hearing Board **Approve** the request with the following condition(s):

1. The Applicant should coordinate with the City Engineer's Office to determine whether a drop-off/pick-up location can be designated along North 6th Street to allow for the safe loading and unloading of children.
2. The proposed "Child Care Center" must comply with all aspects of the Specific Criteria of Section 7-309.2(m) of the Zoning Code.
3. The Codes Bureau will perform a thorough inspection of the interior of the building, to ascertain whether the property complies with all modern building code regulations; if not, the Applicant must submit Building Permits to have the structure brought into compliance.

NOW, THEREFORE, BE IT RESOLVED that the Harrisburg Planning Commission, by a unanimous vote (4-0), recommends that the Harrisburg Zoning Hearing Board **Approve** the request for the following reason(s):

1. The proposed use will establish a legal non-conforming use that is of equal or lesser impact than the existing legal non-conforming "Treatment Center" use.
2. The proposed use will provide necessary childcare services to the residents of the surrounding community.

3. A "Child Care Center" use would serve as a compatible use to the surrounding residential, commercial, and institutional properties.

This is to certify that the foregoing Resolution is a true and correct copy of the Resolution adopted by the Harrisburg Planning Commission on the 2nd day of February 2022.



Jacob Bowen, Executive Secretary

HEARING NOTICE

The Harrisburg Zoning Hearing Board will hold a hearing at 6:00 PM in the City Council Chambers, The Rev. Dr. Martin L. King, Jr. City Government Center, 10 North 2nd Street, Harrisburg, PA 17101 on:

February 28, 2022

In reference to Case No. 2504 a request for:

Special Exception Application for 2901 North 6th Street, zoned Residential Medium-Density (RM), filed by Valerie Moore with Loving Handz Early Learning & Development Center, Inc,” to establish a “Child Care Center” use on-site, and request relief from the off-street parking requirements for the proposed use.

The **Harrisburg Planning Commission** will review the application on **February 2, 2022** at 6:30 PM in the City Council Chambers, 10 North 2nd Street.

Interested parties are invited to attend and express their views. Related information may be obtained by contacting the Planning Bureau at 717-255-6408.

Wanda Williams
Mayor

Harrisburg City Council

Posted On: January 25, 2022



Housing Bureau
717-255-6419

Planning Bureau
717-255-6637

Parks & Recreation
717-255-3020

February 17, 2022

Valerie Moore
Loving Handz Early Learning & Development Center, Inc.
2901 North 6th Street
Harrisburg, PA 17110

Re: February 28, 2022 – Zoning Hearing Board Meeting
2901 North 6th Street – Special Exception Application

Ms. Moore:

Enclosed is the agenda of the Harrisburg Zoning Hearing Board for their regularly scheduled meeting on February 28, 2022 at 6:00 PM in the City Council Chamber, 10 North 2nd Street, Harrisburg, PA 17101. Your Special Exception request will be reviewed at this time. **The owner or an authorized representative should attend this meeting in order for the Zoning Hearing Board to take action on the application.**

If you should have any questions, please feel free to contact me at 717-255-6408 or by email at jdbowen@harrisburgpa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Bowen", is written over a horizontal line.

Jacob Bowen
Deputy Planning Director